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CONSIGNMENTS OF PADDY SOLICITED. Wm. M. GREEN WOOD.

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The second section and Many & Plan Reserve to Corporate Manhagens, Riackensino & House, and Reserve Many and

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it cannot be beat for quality or price; also, THE VULCAN, a good oil and above test:



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Latest Improvements in Shelf Hardware [2] A. L. Oll, at Very Low Balley, Hawking, which and Find Louds, Zone, Smooth Pairs in College and Pairs of Conference on College and Very Louds and Pairs of Conference on Viscous Automotive Section (Conference on Viscous Automotive Section).

Fig. 2 Sec. 2 Training A. C. A. B. of D. Bleather and University of Videous, bossessed Bleath of Della Alterio Shorthay, National Later Sec. Block and Station Fig. 100.

Association of White Process. Also:

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WOODWARD & BROWN'S CELEBRATED PIANOS The Cheapest Good Piano: New Haven Organ Co.'s Parlor Organs

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Have Received a Full Line of the Favorite

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Dawaiian Gazette.

WEDNESDAY, OCTORER 22 1881

Bn Authority.

SESSION LAWS OF 1884.

conjoint.

or rive I All patents shall be issued the mane of His Majesty the King, un-the Seal of the Interior Department, I shall be signed by the Minister of the error and countersigned by the Comand countersigned by the Com-os of Patents, and they shall be together with the specification ico of the Interior Department in

ntry as provided above, unless th

wise 4. Befor any inventor or dis-ser shall receive a putent for his in-on or discovery he shall apply there-writing to the Minister of the Inter-ual shall file in the office of the Inter-Department a written description of and of the manner and process up compounding and using it, in need, and exact terms and in case n the invention or discovery is of a position of matter, the applicant shall ish a specimen of ingredients and of a specimen sufficient in quantity for position, sufficient in quantity for see of experiment. In all cases that of representation by model, cant shall, if required, furnished d of convenient size to exhibit

The applicant shall make believes himself to be the first inventor or discoverer of line, manufacture, composi-cement for which he solicits I that he does not know or the same was ever before ed, and shall state of what

ation or discovery, and desires me to mature the same, may on of the fees required by law, di-deterior Department a caveat set-h the design thereof and its disog characteristics, and praying a of his right until he shall have invention Such caveat shall served in secreey and shall be ope-for the term of one year from the

for the filing of a caveat.

This Act shall take effect grace 9. This Act shall take effect secone a law from and after its pul-co, and "An Act to amend Sections and 256 of the Civil Code, and add a Section to the Civil Code to be num-is Section 250s," approved the 22nd 5 June, A. D. 1898, is hereby repealed. real this This day of August, A.

KALAKAUA REX

COURSE TERRORAPH CARRIES Working, It is desirable that these Is-lands shall be connected by Ocean Ca-ides with California, as well as with other countries bordering on this ocean,

ion L. Whenever telegraphic com-tion shall be established between a and San Francisco, the Minister is hereby authorized to con-

KALAKAUA REX harness, and it looks new all the while.

B. Lerow, N. Y.

Said Deputy Clerk and Second Deputy Clerk shall severally have power to issue process in all suits and mattern brought before the Supreme Court or before any Justice thereof at Chambers. They also shall have power to administer oaths, to take the depositions of witnesses, to assee damages upon notes, bonds, bills of exchange, orders and other liquidated obligations in all cases in which default shall have been made or on reference by the court, and all other powers and duties pertaining to the office of the Clerk of the Supreme Court or necessary for the transaction of the business of said Court, subject to the direction of the Clerk of the Supreme Court and the approval of the Justices thereof. Said clerks shall be action of the business of said Court, subject to the direction of the Clerk of the Supreme Court and the approval of the Justices thereof. Said clerks shall be accessed in the state of the court and the approval of the Justices thereof. Said clerks shall be accessed in the state of the court and the approval of the Justices thereof. Said clerks shall be accessed in the state of the court and the approval of the Supreme Court and the approval of the Justices thereof. Said clerks shall be accessed in the state of the transaction of the three than the plaintiff.

The Minister of Finance comes in fire the defendant commed that plaintiff should have appealed from the assessment of this tax to the Court of the special or the state of the Court of the suprement of the court and the approval of the American state of the court of the suprement of the state of the court of the state of the court of the state of the court of the court of the state of the court of th

it is invested by the King and the Legis lative Assembly of the Hawaiian Islands in the Legislature of the Kingdom as AN ACT
To Amend Section 8 of Chapter 79 of the
Penal Code, as amended by Chapter 17
of the Laws of 1878.

he office of the Interior Department in ks hept for that purpose, across 2. Every patent shall contain our title or discription of the inven-our discovery, correctly indicating its are said design, and a grant to the pa-tee, his herrs or assigns for the term of ears, of the occlusive right to make, and vend the invention or discovery nighout the Hawnian Islands, refer-t to the execution for the contribulars

ing to the specification for the particulars bereof. A copy of the specifications and rawings shall be namezed to the patent of be part thereof.

Secretor 3. Any person who has invended or discovered any new and useful articles. achine manufacture, process or com-sition of matter, or any new and useful approximent thereof not known or used of others in this country, and not patent-for described in any printed publica-ons in this or any foreign country before invention or discovery thereof, may, you payment of the fees required by law, in other this proceedings had, obtain a atent therefor. Trovided, however, that by person who has invented or discover-tury new and useful art, machine, man-lacture, process or composition of mat-ter and may not useful intervenient. uv. process or composition of mat-r any new and useful improvement of and his received a patent or pa-therefor from any foreign govern-may also obtain a patent therefor in

unity as provided above, unless the palenied has been introduced into use in the Hawaiian Islands for more ne year prior to the application for all. But every patent granted for suition which has been previously ed in a foreign country, shall be so thing it shall not continue longer

sly the several parts of his

same is sufficiently useful and

e appointed by the Minister or and shall examine and re-applications for patents and for such services a fee of to for each application ex-reported by him, which fee by the applicant in advance. dollars; and upon issuing a dollars; and five dollars shall

AN ACT

VHILLESS, It is desirable that the Law of at emeted by the King and the Legis-stive Assembly of the Hawaiian Is-ands in the Legislature of the King-

with the person or persons main-such telegraphic communication, a paying of an annual sum not ex-graventy thousand dollars, and for all not exceeding fifteen years.

Secrece 1. That the Justices of the aprene Court are hereby authorized to point a Deputy Clork and a Second aputy Clerk who shall hold their offices bject to the pleasure of said Justices.

He tooked at me in a representation of the way, struck me with a chair in an absent-mediad manner, and atole away.—But Nye

Be it enacted by the King and the Legis lative Assembly of the Hawaiian Is-lands, in the Legislature of the King-dom assembled;

dom assembled;
Secrior 1. That Section 8 of Chapter
79 of the Penal Code, as amended by
Chapter 17 of the Laws of 1878, is hereby
amended to read as follows: "Section 8. Every person authorized by law to perform the marriage ceremony, shall report quarterly to the Board of Education, the names of all persons mar-ried by him during the quarter, secording to the following form Report of marriages for the quarter end-ing—A. D. 188

Lisenson Date, of Literature, Marrings, Place, o which forms shall be furnished in blank by the Board of Education to all persons authorized by law to perform the marriage

"If any such person authorized as afore-said to perform the marriage escenary, shall neglect to report the names of the persons married by him as aforesaid, his persons married by him as anoresand, in-license to perform the marriage ceremony shall, upon proof of such neglect, be can-celled by the Minister of the Interior.

"The Board of Education shall keep a marriage record book and enter therein." all marriages which shall hereafter be solemnized in the Kingdom, which book shall be kept in the following form:

"Every father if living of any child born in the Kingdom, or in any case the father is not living or if the child be illegitimate, the mother of such child shall, within one mouth after its birth notify some government school teacher of the district in which the child was born, of the child of district in which the child was born, of the child of district in which the child was born, of the child.

See Howe vs. Bosion, 7 Cush, 273, Lincoln vs. Worcester, 8 Cush, 55. Cooley on Taxation of law, by the child of the child was born, of the child.

The question in the case before me is whether a "debt" is subject to taxation. This is a debt is subject to taxation. This is a wing in the contribution of law. By the Civil Code of 1857, sec. \$13, the term "personal property" shall be contributed in loude all household farming two and chattels, wares and merchanties, all may be contributed in the child be all the child b person officiating at a burial, or in case of a burial without religious services, any undertaker or other person having in charge a burial, shall within ten days after such burial, notify the Agent of the Board of Health for the district in which such burial has taken place, the name, sex, age and nutionality of the deceased or as many of these facts as can be ascertained.

"Any neglect to comply with any of the provisions of this Section shall subject the delinquent on conviction before any Police or District Justice, to a fine not exceeding twenty-five dellars."

Section 2 This Act shall take effect from and after the date of its approval.

Approved this 29th day of August, A. D. 1884.

KALAKAUA, REX.

TO RESULATE THE REMISSION, EXEMPTION AND COLLECTION OF TETTION FIRST IN THE PUBLIC SCHOOLS OF THE KINGDOM. Set If Emerted by the King and the Legis-lative Assembly of the Hawaiim Islands,

lative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:
Secrics 1. The charge for tuition in all Government Day Schools taught in the English language, throughout the Kingdom, exclusive of those in the District of Honolulu, Island of Oahn, shall not exceed five dollars per annum for each pupil, in the discretion of the Board of Education, Secrice 2. The absence for tuition in all SECTION 2. The charge for truition in all loverument Schools taught in the Eng-ish language, in the District of Honolulu, sland of Oahu, shall not exceed five dollars per annum for each pupil, in the discretion of the Board of Education, in discretion of the Board of Education, in those schools where the ordinary common school branches only are taught. But in schools where other or higher branches are taught than the ordinary common school course, such as Fert Street School, tuition fees not exceeding fifty cents per week of schooling, in the discretion of the Board of Education, shall be charged.

Secretion of the Board of Education, shall be charged.

Secretion of the Board of Education, shall be charged.

W. R. Austin for plaintiff, W. A. Whiting,

Secrios 3. All pupils, over three in number, sent by any parent or guardia to any Government Day School, conducte in the English language, where the ordir ary common school branches only ar ary common school branches only are taught shall be exempt from the payment of tuition fees; and for all pupils, over three in number, of any parent or guar-dian, who shall attend Government English Day Schools, where other or higher branches are taught, such as the Fort Street School, in Homalun, the charge for tuition shall be at the discretion of the Board of Education

Board of Education.

Shortos 4. All parents or guardians working under written contracts for wages not caceeding twenty dollars per month, shall be at liberty to send their children, free of any charge for uniton, to the Government Day Schools, conducted in the English language, where the ordinary common school branches only are taught. Shortos 5. The several School Agents throughout the Kingdom, under the direction of the Board of Education, may be authorized by the said Board to remit a part or all of the tuition fees of children whose parents or guardians are in indiwhose parents or guardians are in indi-gent circumstances and unable to pay the

same.

Secretor 6. It shall be incumbent on
the teachers of all Government Schools
in which trition fees are charged to collect the same quarterly, and account promptly therefor to the School Agents of

heir respective districts.
Secrios 7. In all cases where parent Eas. It is desirable that the Law of I shall be supplemented by further the of public assistance, in order to estite and secure the laying of such less, therefore, or the office and secure the laying of such less, therefore, or the order of the district shall be satisfied that the control of the district shall be satisfied that the granting of such remission or exemption shall be in accordance with the conditions set forth in this Act. set torth in this Act.

Signrow 8. This Act shall become a
law and take effect from and after the
date of its approval.

Approved this 29th day of August, A. D.
1884.

KALAKAUA, REX.

have been illegally collected from the plaintiff at tarse, paid under protest.

The essential facts, as admitted, are that
the plaintiff corporation made a dive return of
its taxable property in the month of July,
1883, to the Assessor. Among other items the
plaintiff returned 3885 acres of cane land at
\$70 per sere, upon which 723 acres of cane
were growing. The Assessor declined to
take this valuation, but assessed 3162 acres
at \$30 per sere, and 723 acres at \$20 per acre.
This valuation of \$92 per acre was placed
upon the 723 acres as 'watered' or irrigated
land, whereas the valuation of \$30 per acre
was placed upon cane lands in Makawao having no water. The cane growing on all these
lands was assessed separately.

The water used by plaintiff in arrigating
the 723 acres was obtained from the Hamakan Bitch Co., a water supply company furnishing water in Makawae for a consideration;
and the Hamakun Ditch the. was assessed and
has paid taxes upon the full cash value of its
property in the District of Makawae.

The tax of \$62 per acre on the 722 acres,
(i.e. the excess of \$22, ever the \$30, for
which unitrigated land was valued,) was
paid under protest; and the plaintiff claims
that it is an illegal tax, as being a duplicate
taxation on the same property.

It is claimed that the valuation of \$62 per
acre is for the enablaced value of the land by
reason of its having water upon it in irrigate
the came planted thereon; and the water having already been assessed and the taxes paid,
as the property of the company supplying
this water, this property is two taxed.

It was held by Chief Justice Harris and
Mr Justice McCully of this Court, in a case
reported in § Hawalian, 275, that the Hamalua Friich Co, was rightly taxed for the water brought on and supplied by it to various
land owners in Makawao, as a distinct property. I am not at liberty in this case to
question the soundness of that opinion (though I
ounfeas to some doubte as to whether water of
the confeas to some doubte as to whether water Contributors Notes and Queries conting twenty thousand dollars, and for period not exceeding twenty thousand dollars, and for period not exceeding ifferen years.

Sternor 2 Such subsidiff shall not be said unless provious to any payment hereof contracts shall have been made, with the person or persons entitled to said absolv, on terms and conditions which that be resons entitled to said absolv, on terms and conditions which that be satisfactory to the King in Privy found. The said conditions which had be satisfactory to the King in Privy found. The said conditions shall cover main of rates of charges for messages, the maintaining of the cable in working ever, and such other conditions as may be decined necessary for the protection of the Government and the public welfare. See now 3. This Act shall become a law row and after the date of its approval.

Approved this 21st day of Angust, A. 1884.

KALAKAUA BEX.

A Previous Engagement

AN AUT

DIRECT CLERK AND SECOND DEFETY
CLERK OF THE SCHEME COURT, AND TO
PRESCRIBE THE POWERS AND DITTES OF
SOFT CLERK.

HE HAVE AND THE STATE OF TH

diction are by section 50 of Chapter 43 of the Acts of 1882, declared to be final and conclu-sive, but they can sally be so upon matters of which the Court has jurisdiction, by appeal of

"Any person whose name may appear on uch tax list, and who shall have made his

such tax list, and who shall have made ore returns to the assessor as hereinbefore pro-vided, and if entitled to exemption, shall have claimed such exemption, and who may deen himself aggriceral by any excess made by the assessor in the valuation of the property as

assessor in the valuation of the property as returned, or in the amount or character thereof, or whereby the amount payalle by such person is increased beyond the amount which would be payable by him according to such return, or whose claim for exemption shall not have been allowed, may appeal from such assessment, or lodging with the tax assessor, on or before the first day of October, a notice in writing, stating his grounds of objection to his assessment, or to such portion thereof as the objection applies to, and depositing therewith a sum for cost of appeal as follows:

There can be an appeal taken where (a) there has been an excessive valuation by the assessor of the property returned; (b.) or where the amount of the property is increased from the return. (Here cases where property is

the return. (Here cases where property.

provided for:) (c.) or where the character the property is changed so that it is subject

greater laxation; (d.) or where the amount taxes to be paid is increased by the assess beyond that payable by the appellant according

ing to the return, without changing the character of the property. (Here errors in calculation can be corrected; (c.) where stantor claims for exemption are not allowed by the

If the above analysis of the statute be co

oges, public stocks, stocks in corporation and every species of property not included it

and every species of property not included real estate. Section 16 of the Act of 1882, now in force

prescribes that the term "personal property or the purposes of this Art shall be deeme o mean and include all household furnitue

ion.
The tax collected of the plaintiff being up

Opinion of Judd. C. J.

COLLECTOR.

Opinion of Isold, C. J.

TAX COLLECTOR.

Opinion by Judd, C. J.

The plaintiff corporation seeks in this action recover \$336.19 from the Tax Collector of

Makawao, Mani, being an amount alleged to have been illegally collected from the plain tiff as taxes, paid under protest. The cosenital facts, as admitted, are that

Honolulu, Sept. 30, 1884.

the aggrieved tax payer.
Section 40 of the Act is as follows:

January Term. 1884. Heard by Consent. in Vacation, Sept. 18, 1884, Jury being Waived.

This case being identical in principle with that of the Haiku Sugar Co., va. A. Fernander, Tax Collector of Makawao, the reasoning in that case will apply, and judgment is accordingly ordered for plaintiff for \$55.10.

W. R. Castle for plaintiff, W. A. Whiting, Deputy Attorney-General, for defeedant. Honelulu, September 30, 1884.

Saprame Co., C. S. Saprame Co., value of the control of the con

upreme Court of the Hawaiian Islands-January Term, 1884 Heard by Consent. in Vacation. Sept 19, 1884, Jury being Waived

DEB, TAX COLLECTOR.

lated, which would include cases of duplicate taxation, are not covered by the state.

Of these, the Supreme Court, by the law which gives it jurisdiction over all cases in law and and in equity, has jurisdiction. Sections 819 and 829 of the Civil Code, and Article 67 of the Constitution.

Pure questions of over-valuation, or of including property of which the person sought to be indid liable is not the owner, can be remedied by an appeal to the "Court of Tax Appeal," where these matters can be corrected, and there seems to be no reason to doubt that they cannot be corrected by resert to an action at law. ie amount claimed.

W. R. Castle for plaintiff; W. A. Whiting, coputy Attorney-Gomeral, for detendant.

Honolulu, Sept. 30, 1884.

C. BREWER & CO.

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growing crops, panies access and conder, and all domesticated animals not herein specifically taxed.

It was the manifest intention of the Legislature of 1882, to no longer tax as property "debts" or evidence of indebtedness whether secured or unsecured, and to impose hares only upon tangible property. The words of the former law "moneys, notes of hand, unsecured debts," are omitted in the present, and "all moneys in hand" substituted therefor.

Only actual cash in hand is taxable. The imposition of a tax upon promissory notes, book debts, accounts owing, in fact avery species of mere representatives of value, is by the present law illegal. The only exception to this is that of "public stocks and bonds," and the provision that the mortgage, of property which is mortgaged is liable to taxation, (as between him and the mortgage, on the difference between the whole value of the property mortgaged and the amount of the more due on the mertgage, and this was so causticd in order to avoid the imputation of double taxabitor.

The tax collected of the plaintiff being upon. COAL In Casks for Family Use.

CARD MATCHES Fairbank's Platform Scales, ASSORTED SIZES :

Pick Handles. W. R. Austin for plaintiff, W. A. Whiting, Deputy Attorney-General for defendant. Cotton Waste, Salt, Plaster, opreme Court of the Hawaiian Islands.--October Turm, 1884, Jury Waived. Heard CHAIRS! by Consent, in Vacation. Sept. 19, 1884. CHARLES M. COOKE VS. GEO. H. LUCE, TAX COLLECTOR. **Barrel Shooks**

This case being identical in principle with that of E. A. McBryde vs. Jacob Kala, recent-ly decided by me, judgment may be entered for plaintiff for \$131.75. W. R. Castle for plaintiff: W. A. Whiting, Deputy Attorney General, for defendant. Honolulu, September 30, 1881. HANDY PHÆTONS, New Styles of Carriages,

A PEW

Supreme Court of the Hawaiian Islands— October Term, 1884, Jury Waived. Heard by Concent, in Vacation. Sept. 19, 1884 Ladies' Phætons, Mrs. J. M. COOKE vs. GEO. H. LECE, TAX CIDER VINEGAR,

This case being identical in principle with that of E. A. McBryde vs. Jacob Kala, recent-ly decided by ms, judgment may be entered for plaintiff for \$53.25. W. R. Castle for plaintiff: W. A. Whiting, Deputy Attorney-General, for defendant. Honolulu, September 30, 1881. EASTERN MADE OX CARTS SUGAR BAGS. Supreme Court of the Hawasian Islands.
January Term. 1884 Heard by Consent
in vacation. Sept. 19. 1884 Jury being
waived

THE HATRY SUGAR CO. VS. A. FORSANDER

PLUMBING, GAS FITTING, TINSMITH & ROOFER,



STOVES.

RANGES

HOUSE FURNISHING

actually used in the irrigation of crops can properly be considered as a distinct property from the land which it benefits and into which it sinks,) for the fact exists that this water has been taxed as property to its owner, and this assessment was made in pursuance of the authority of the decision of the Court above referred to. The 723 acres of land in controversy, if water was not used to irrigate the case upon it, would not have been assessed at the rate of 892 per acre, but it would have been valued by the assessor, we must presume, at \$30, the rate fixed by him as the value of non-irrigated land in the district.

I think it follows logically that the water used for irrigating plaintiff's 723 acres has been twice taxed, once as the property of the Hamakous Ditch Co., and again as giving an

Supreme Court of the Hawaiian Islands-

JAMES M. ALEXANDER VS. A. FORNANDER TAX COLLECTOR.

THE PAIR PLANTATION CO. VS. A. FORNAN

The plaintiff corporation brings its action to recover \$132,52 from the tax collector of Makawae, claimed to be an illegal tax on a valuation of \$62 per acre on 285 acres of land.

By the agreed statement of facts filed, this case appears to be precisely similar to that of Haiku Sugar Co. vs. A. Fornander, and for the reasons cupressed by me in that case I think judgment should be rendered for plaintiff for the amount claimed.

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